

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

1. (Currently Amended) A controlling device for controlling a PC and one or more home appliances, the controlling device comprising:
 - a wireless transmitter for sending control data to the PC and one or more home appliances;
 - a sensor for activating a first control mode and a second control mode based on interaction of the control device with a surface; and
 - a user interface having a plurality of user interface elements wherein a first subset of the plurality of user interface elements are activatable for sending control data to the PC via the wireless transmitter when the sensor causes activation of the for at least partially enabling the first control mode and a second subset of the plurality of user interface elements which includes at least one user interface element within the first subset of the plurality of user interface elements are activatable for sending control data via the wireless transmitter to the one or more home appliances when the sensor causes activation of the second control mode;
 - wherein
the controlling device transmits signals via the wireless transmitter to control the PC in the first control mode and transmits signals via the wireless transmitter to control the one or more home appliances in the second mode.
2. (Original) The controlling device as recited in claim 1, wherein the wireless transmitter comprises a first wireless transmitter and a second wireless transmitter, the first wireless transmitter being associated with the first control mode and the second wireless transmitter

being associated with the second control mode.

3. (Original) The controlling device as recited in claim 2, wherein the first wireless transmitter is an RF wireless transmitter.

4. (Original) The controlling device as recited in claim 2, wherein the second wireless transmitter is an IR wireless transmitter.

5-8. (Canceled)

9. (Original) The controlling device as recited in claim 1, wherein the sensor additionally provides for a determination of whether the controlling device is being used to interact with a surface, or has been removed from the surface.

10. (Original) The controlling device as recited in claim 9, wherein the determination that the controlling device is being used to interact with a surface causes activation of the first control mode.

11. (Original) The controlling device as recited in claim 9, wherein the determination that the controlling device has been removed from the surface causes activation of the second control mode.

12. (Currently Amended) The controlling device as recited in claim 1, wherein the user interface comprises a ~~button-based user interface~~ a plurality of hard keys.

13. (Canceled)

14. (Currently Amended) The controlling device as recited in claim 1 +2, wherein the ~~button~~ based user interface comprises an EL panel.

15-19. (Canceled)

20. (Currently Amended) The controlling device as recited in claim 1 +9, wherein at least some of the control signals transmitted in the first control mode function to move a PC cursor.

21. (Canceled)

22. (Currently Amended) A method for using a controlling device to command functions of first and second appliances, comprising:

determining a position of the controlling device relative to a surface; and
automatically causing the controlling device to toggle between a first control mode wherein a first subset of a plurality of user interface elements of the controlling device are activatable to cause the controlling device ~~is adapted~~ to transmit control data signals to control functions of the first appliance and a second control mode wherein a second subset of the plurality of user interface elements of the controlling device which includes at least one user interface element within the first subset are activatable to cause the controlling device ~~is adapted~~ to transmit control data signals to control functions of the second appliance as a function of the determined position of the controlling device relative to the surface.

23. (Original) The method as recited in claim 22, comprising using a sensor to determine the position of the controlling device relative to the surface.

24. (Original) The method as recited in claim 23, comprising using the sensor to determine x-y movement of the controlling device relative to the surface and transmitting control data signals in the first control mode that are indicative of the x-y movement.

25. (Currently Amended) For use in a controlling device, a readable media having instructions for using the controlling device to command functions of first and second appliances, the instructions performing steps comprising:

determining a position of the controlling device relative to a surface; and
automatically causing the controlling device to toggle between a first control mode
wherein a first subset of a plurality of user interface elements of the controlling device are activatable to cause the controlling device is adapted to transmit control data signals to control functions of the first appliance and a second control mode wherein a second subset of the plurality of user interface elements of the controlling device which includes at least one user interface element within the first subset are activatable to cause the controlling device is adapted to transmit control data signals to control functions of the second appliance as a function of the determined position of the controlling device relative to the surface.

26. (Original) The readable media as recited in claim 25, wherein the instructions cause periodic activation of a sensor to determine the position of the controlling device relative to the surface.

27. (Original) The readable media as recited in claim 26, wherein the instructions use

signals from the sensor to determine x-y movement of the controlling device relative to the surface and cause control data signals to be transmitted in the first control mode that are indicative of the x-y movement.

28. (Currently Amended) The readable media as recited in claim 27, wherein the user interface controlling device comprises both hard keys and a graphical user interface having activatable elements and wherein the activatable elements of for causing control data signals to be transmitted in the second control mode and wherein the instructions cause the graphical user interface remain dark to be hidden when the controlling device is in the first control mode.